

REMARKS

Submitted herewith are a Request for Continued Examination (withdrawing the appeal filed 05/10/2003), a Terminal Disclaimer relative to Shennib US6,137,889, a Petition for 3-Month Extension of Time to reply to the Final Action of 01/29/2003, and credit card payment of fees for the RCE, extension of time, and Terminal Disclaimer.

It is believed by applicant's attorney, and on that basis submitted, that the terminal disclaimer effectively removes the application of Shennib '889 as prior art. This is because the terminal disclaimer eliminates the obviousness-type double patenting rejection on Shennib '889, and should, therefore, eliminate any assertion that applicant is seeking an extension of its patent monopoly with respect to the present application and the commonly-owned Shennib '889 patent, coupled with examiner's acknowledgment that the claims of this application are not identical to those of the Shennib '889 patent.

In view of the above submissions and remarks, it is submitted that this application is in condition for allowance.

Respectfully submitted,

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